

# memorandum

DATE: October 15, 2001

REPLY TO

ATTN OF: Office of Environmental Policy and Guidance(EH-41):Bascietto:6-7917

SUBJECT: **Environmental Protection Agency Comment Request: Proposed Information Collection Request for Institutional Controls Tracking Systems and Cost Survey**

TO: Distribution

**PURPOSE OF THIS MEMO** To notify DOE elements of a U.S. Environmental Protection Agency (EPA) request for comment on a proposed *Institutional Controls (IC) Tracking Systems and Costs Survey*.

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**BACKDROP** The EPA Office of Emergency and Remedial Response is researching the development of a system for tracking institutional controls at Superfund sites, and is proposing to conduct a survey of governmental organizations that maintain tracking systems, databases, or other information systems that as their primary purpose or incidentally collect and/or track information pertaining to the selection, planning, design, implementation, oversight, monitoring, and/or enforcement of institutional controls at sites or facilities under their jurisdiction.

For purposes of this proposed survey, institutional controls are defined as “non-engineered site measures such as administrative and/or legal controls that minimize the potential for exposure to contamination by limiting land or resource use and/or protect the integrity of a remedy. Institutional controls are employed at sites where remedies are not yet in place, are ongoing, and/or leave contaminant residuals on site that do not allow for unlimited use and unrestricted exposure.”

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**DISCUSSION** In order to comply with the Paperwork Reduction Act, EPA has announced that it is planning to submit an Information Collection Request (ICR) to the Office of Management and Budget. The proposed ICR specifies information necessary to determine what types of institutional controls tracking systems are currently in use; their purpose, scope, structure, functionality; compatibility with a future EPA system; and, lessons learned.

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**FR NOTICE** The subject notice, 66 *FR* 50182-50183 (October 2, 2001), and corresponding ICR are attached.

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**REQUEST FOR COMMENT** EPA is soliciting comments to: 1) evaluate whether the proposed collection of data is necessary; 2) evaluate the accuracy of EPA estimates of time and cost burdens; 3) enhance the quality, utility and clarity of the information to be collected; and, 4) minimize the burden of the collection of information on those who are to respond.

Based on comments received from DOE elements, EH-41 will prepare a consolidated response to EPA. Please provide comments (and available supporting data) to EH-41 **on or before Wednesday, November 21, 2001**.

In responding to EPA's Request for Comment, DOE elements need not confine their comments to IC tracking systems that relate solely to actions at environmental restoration sites. Rather, comments are encouraged to include discussion of tracking systems for any type of institutional control used by the Department.

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**CONTACT** Questions concerning the EPA notice or this request for comment, please contact John Bascietto of my staff by:

- Calling at (202) 586-7917,
  - Faxing messages to (202) 586-3915, or
  - Communicating electronically, via Internet, to [john.bascietto@eh.doe.gov](mailto:john.bascietto@eh.doe.gov).
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A handwritten signature in black ink that reads "Andy Lawrence". The signature is written in a cursive, flowing style.

Andy Lawrence  
Director  
Office of Environmental Policy and Guidance

Attachment

*Evening Meeting*

Monday, October 29, 2001, 6 p.m. to 9 p.m., State Theater, 1498 Myers Street Oroville, California

*Afternoon Meeting*

Tuesday, October 30, 2001, 1 p.m. to 4 p.m., Secretary of State Building auditorium, 1500 11th Street Sacramento, California

To help focus discussions, Scoping Document 1 was mailed in September 2001, outlining the subject areas to be addressed in the APEA to the parties on the mailing list. Copies of the SD1 also will be available at the scoping meetings. SD1 may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link—select "Docket #" and follow the instructions (call 202-208-2222 for assistance).

Based on all written comments received, a Scoping Document 2 (SD2) may be issued. SD2 will include a revised list of issues, based on the scoping sessions.

**Objectives**

At the scoping meetings, the DWR and staff will: (1) Summarize the environmental issues tentatively identified for analysis in the APEA; (2) solicit from the meeting participants all available information, especially quantifiable data, on the resources at issue; (3) encourage statements from experts and the public on issues that should be analyzed in the APEA, including viewpoints in opposition to, or in support of, the collaborative's preliminary views; (4) determine the resource issues to be addressed in the APEA; and (5) identify those issues that require a detailed analysis, as well as those issues that do not require a detailed analysis.

**Procedures**

The meetings will be recorded by a stenographer and will become part of the formal record of the Commission proceeding on the project.

Individuals, organizations, and agencies with environmental expertise and concerns are encouraged to attend the meetings and to assist DWR in defining and clarifying the issues to be addressed in the APEA.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 01-24548 Filed 10-1-01; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 184-065 (California)]

**El Dorado Irrigation District; Notice of Public Meeting**

September 26, 2001.

The Federal Energy Regulatory Commission (Commission) is reviewing the application for a new license for the El Dorado Project (FERC No. 184), which was filed on February 22, 2000. The El Dorado Project, licensed to the El Dorado Irrigation District (EID), is located on the South Fork American River, in El Dorado, Alpine, and Amador Counties, California. The project occupies lands of the Eldorado National Forest.

The EID, several state and federal agencies, and several non-governmental agencies have agreed to ask the Commission for time to work collaboratively with a facilitator to resolve certain issues relevant to this proceeding. The purpose of this meeting is to finalize and sign the request to the Commission for time to conduct collaborative discussions and to finalize the protocols by which the collaborative group would operate. We invite the participation of all interested governmental agencies, non-governmental organizations, and the general public in this meeting.

The meeting will be held on Tuesday, October 9, 2001, from 9am until 4pm in the Marriott Sacramento, located at 11211 Point East Drive, Rancho Cordova, California.

For further information, please contact Elizabeth Molloy at (202) 208-0771 or John Mudre at (202) 219-1208.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 01-24547 Filed 10-1-01; 8:45 am]

**BILLING CODE 6717-01-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7071-4]

**Agency Information Collection Activities: Proposed Collection; Comment Request; Institutional Controls Tracking Systems and Costs Survey**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C.

3501 *et seq.*), this document announces that EPA is planning to submit the following proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB): Institutional Controls Tracking Systems and Costs Survey EPA ICR No. 2043.01. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before December 3, 2001.

**ADDRESSES:** Comments submitted by regular U.S. Postal Service mail should be sent to: Docket Coordinator, Superfund Docket Office, Mail Code 5201G, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460. To ensure proper receipt by EPA, it is imperative that you identify docket control identifier IC-SURVEY in the subject line on the first page of your comments. Comments may also be submitted electronically or in person. Please follow the detailed instructions for these submission methods. Interested persons may obtain a copy of the ICR without charge from Michael E. Bellot at the Office of Emergency and Remedial Response, 5/7 Accelerated Response Section (5202G), 1200 Pennsylvania Avenue, N.W., Washington, DC 20460, telephone (703) 603-8905, e-mail [bellot.michael@epa.gov](mailto:bellot.michael@epa.gov), or download off the Internet at <http://www.epa.gov/icr/icr.htm> and refer to EPA ICR No. 2043.01.

**FOR FURTHER INFORMATION CONTACT:** Michael E. Bellot, telephone (703) 603-8905 or e-mail [bellot.michael@epa.gov](mailto:bellot.michael@epa.gov).

**SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are State, Tribal, or local government agencies or organizations that maintain tracking systems, databases, or other information systems that as their primary purpose or incidentally collect and/or track information pertaining to the selection, planning, design, implementation, oversight, monitoring, and/or enforcement of institutional controls at sites or facilities under their jurisdiction.

*Title:* Institutional Controls Tracking Systems and Costs Survey EPA ICR No. 2043.01.

*Abstract:* The Office of Emergency and Remedial Response (OERR) is currently researching the development of a system for tracking institutional controls at Superfund sites. Institutional controls are non-engineered site measures such as administrative and/or

legal controls that minimize the potential for exposure to contamination by limiting land or resource use and/or protect the integrity of a remedy. Institutional controls are employed at sites where remedies are not yet in place, are ongoing, and/or leave contaminant residuals on site that do not allow for unlimited use and unrestricted exposure. Proper implementation, monitoring, and enforcement of institutional controls at these sites is critical to EPA's core mission of protecting human health and the environment. Although many of these institutional control mechanisms are necessary parts of the remedy, they are often implemented, monitored, and/or enforced by States, Tribes and/or local governments.

OERR is proposing to complete a study that includes: (1) Conducting research into the types of institutional controls tracking systems that are currently in use and evaluating their relative strengths and weaknesses; (2) developing a focused list of data collection points and definitions; (3) developing and piloting a process for the collection of data to be used to estimate data availability and the cost and time required for data acquisition; (4) developing a data entry process; and (5) researching the feasibility of data sharing and/or linking Federal, State, Tribal and/or local institutional control tracking into a web-based system. In a second phase of this study, OERR is planning to develop the tracking system, establish data linkages, and populate the database. It is anticipated that information on institutional controls eventually will be available to a variety of interested stakeholders over the EPA web page.

This proposed ICR specifies information necessary to determine what types of institutional controls tracking systems are currently in use; their purpose, scope, and structure; the kinds of data they track; their data entry, quality assurance, administration, and access features; data querying capabilities; compatibility with a future EPA system; development, population, and operating costs; and lessons learned from developing, implementing, and operating these systems.

EPA estimates that approximately 52 States, 10 Tribes, and no more than 200 local agencies (planning, zoning, and real estate recording offices) will be surveyed.

If approved by OMB, respondents will have 60 days from receipt of the survey to submit their responses.

In addition to the survey, this proposed ICR includes EPA requests for clarifications, questions and updates to

the survey, and agency visits. Clarifications and updates will only be necessary if EPA has follow-up questions regarding responses or if EPA requires more information to understand a tracking system. Up to 50 agencies may be required to submit more detailed descriptions. EPA proposes to visit up to 20 agencies to evaluate institutional controls tracking systems.

Responding to the survey is entirely voluntary. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15.

EPA is soliciting comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) enhance the quality, utility, and clarity of the information to be collected; and

(iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Burden Statement:** Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal Agency. This includes the time needed to review instructions; collect, validate, and verify information, process and maintain information, and disclosing and providing information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The average annual burden imposed by the survey and other information collection efforts are approximated using the following assumptions:

- Approximately half the agencies surveyed will not have an institutional controls tracking system. It is assumed that no more than 30 minutes would be required for these respondents. Each respondent will respond to the survey once. If the response rate is 100 percent, the estimated burden is 66 hours (131 respondents x 0.5 hours).

- Approximately half the remaining agencies will have a rudimentary tracking system or registry. It is assumed that six hours will be required to research and complete the survey and that follow-up contact will take no more than six hours. Each respondent will respond to the survey once. If the response rate is 100 percent, the estimated burden is 792 hours (66 respondents x 12 hours).

- No more than approximately 65 entities will have full systems. It is anticipated that 16 hours will be required to research and complete the survey and eight hours to follow up. Each respondent will respond to the survey once. If the response rate is 100 percent, the estimated burden is 1,560 hours (65 respondents x 24 hours).

- None of the respondents will incur new capital, start-up, operation, maintenance, or purchase of services costs in responding to the survey as the ICR seeks information only about existing activities and practices and does not require respondents to undertake new information collection or tracking tasks.

- The estimated average annual hour burden is 10 hours.

Dated: September 24, 2001.

**Elaine F. Davies,**

*Acting Director, Office of Emergency and Remedial Response, Office of Solid Waste and Emergency Response.*

[FR Doc. 01-24600 Filed 10-1-01; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7071-2]

**Agency Information Collection Activities: Submission for OMB Review; Comment Request; Underground Injection Control (UIC) Program (OMB Control No. 2040-0042; EPA No. 0370.18, Expiring September 30, 2001)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Underground Injection Control (UIC) Program (OMB Control No. 2040-0042; EPA ICR No. 0370.18), expiring September 30, 2001. The ICR describes the nature of the information collection

**SUPPORTING STATEMENT**

**INFORMATION COLLECTION REQUEST**

**FOR**

**INSTITUTIONAL CONTROLS TRACKING SYSTEMS**  
**AND COSTS SURVEY**

**PART A**

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APPENDIX A. Institutional Controls Tracking Systems and Costs Survey Questionnaire

## **1. IDENTIFICATION OF THE INFORMATION COLLECTION**

### **1(a). Title of the Information Collection**

Institutional Controls Tracking Systems and Costs Survey

### **1(b). Short Characterization/Abstract**

The U.S. Environmental Protection Agency (“EPA”), Office of Emergency and Remedial Response (“OERR”) is seeking clearance from the Office of Management and Budget (“OMB”) to gather information about the characteristics of information systems currently used by state, tribal, and local governments to track the implementation, monitoring, and enforcement of institutional controls at sites, facilities, and properties under their jurisdiction. OERR proposes to use survey questionnaires to gather information about types of institutional controls tracking systems currently in use; their purpose, scope, and structure; the kinds of data they track; their data entry, quality assurance, administration, and access features; data querying capabilities; compatibility with a future EPA system; development, population, and operating costs; and lessons learned from developing, implementing, and operating them.

OERR does not intend to use the information resulting from this survey to generalize about an overall population. Survey responses are intended to provide OERR with a detailed overview of state and local governments’ current practices and procedures for tracking institutional controls and to enable OERR to evaluate the strengths and weaknesses of different tracking systems.

Included in this information collection request (“ICR”) are proposed survey questions submitted for OMB approval. EPA estimates that 52 states, 10 tribes, and no more than 200 local agencies (planning, zoning, and real estate recording offices) will be surveyed.

In addition to the survey, this ICR includes requests for clarification, follow-up questions, follow-up calls to unresponsive respondents, and agency visits. Clarifications and follow-up questions will be necessary only if EPA requires more information to understand a tracking system. Up to 50 agencies may be asked to provide additional information. EPA proposes to visit no more than 20 agencies to evaluate their institutional controls tracking systems.

## **2. NEED FOR AND USE OF THE COLLECTION**

### **2(a). Need/Authority for the Collection**

OERR is currently researching the development of a system for tracking institutional controls at Fund- and enforcement-lead Superfund sites. Institutional controls are non-engineered remedial measures such as administrative and/or legal controls that minimize the potential for exposure to contamination by limiting land or resource use. Institutional controls are employed at sites where remedies leave contaminant residuals on site that do not allow for unlimited use and unrestricted exposure. Institutional controls can reduce the potential for unacceptable exposure to residual contamination and can also be used to protect the integrity of an engineered remedy.



Use of institutional controls at Superfund sites is authorized by the National Oil and Hazardous Substances Pollution Contingency Plan (“NCP”), 40 CFR Part 300. EPA has issued guidance on the use of institutional controls in conjunction with other cleanup remedies<sup>1</sup>, including:

- Policy on Management of Post-Removal Site Control, OSWER Directive No. 9360.2-02, December 3, 1990.
- Use of Institutional Controls at Superfund Sites, Memorandum, July 27, 1992.
- Land Use in the CERCLA Remedy Selection Process, OSWER Directive No. 9355.7-04, May 25, 1995.
- Institutional Controls: A Reference Manual, U.S. EPA Workgroup on Institutional Controls, March 1998. [DRAFT]
- Interim Final Guidance Institutional Controls and Transfer of Real Property under CERCLA Section 120(h)(3)(A), (B), or (C), Memorandum, January 6, 2000.
- Institutional Controls: A Site Manager’s Guide to Identifying, Evaluating and Selecting Institutional Controls at Superfund and RCRA Corrective Action Cleanups, OSWER Directive No. 9355.0-74FS-P, September 2000.

The resulting increase in use of institutional controls has prompted concerns about their long-term reliability. EPA believes that developing an ability to track the implementation, monitoring, and enforcement of institutional controls is essential to ensure their reliability and acceptability and critical to fulfill EPA’s core mission of protecting human health and the environment.

## **2(b). Practical Utility/Uses of the Data**

The survey questionnaire is designed to gather information about the purpose and scope of the respondent’s tracking system, its structure and operations, user access and information sharing practices, costs, and lessons learned from using it. OERR believes that information gathered in the survey will help it design a Superfund institutional controls tracking system that incorporates the most appropriate features of other systems and as much existing institutional controls data as possible. The proposed information collection is the first phase of a design process that includes 1) defining and organizing data elements, 2) developing data collection points, 3) designing the user interface, 4) developing data entry and access procedures, and 5) developing and piloting a process for estimating data availability and the cost and time required for data acquisition. OERR believes that survey responses will provide useful background information for each phase of the design effort. OERR expects that the public will eventually have access to the tracking database via EPA’s website.

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<sup>1</sup> The NCP, 40 CFR 300.430(a)(1)(iii), provides that EPA “expects to use institutional controls such as water use and deed restrictions to supplement engineering controls as appropriate . . .”

### **3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

#### **3(a). Nonduplication**

The Institutional Controls Tracking Systems and Costs Survey is an exploratory and descriptive survey designed to gather information about respondents' current practices and procedures for tracking information about institutional controls used in their jurisdictions. The survey requests information only about the respondent's "in-house" activities. Therefore responses provided in one survey questionnaire should not duplicate responses provided in any other. This information collection is a one-time effort. The information sought does not duplicate information collected through any other EPA survey or reported to EPA pursuant to statute. Moreover, there is no central repository of or reference work containing information about state, tribal, or local governments' institutional controls tracking systems and costs.

#### **3(b). Public Notice Required Prior to ICR Submission to OMB**

EPA has complied with the public notice requirement set forth in 5 CFR 1320.8(d)(1) by publishing a notice in the Federal Register on **XXXXXXXX YY, 2001 (YY FR YYYYYY)**.

#### **3(c). Consultations**

This ICR is based on consultations with the following:

##### **Federal Contacts**

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### **3(d). Effects of Less Frequent Collection**

Not applicable.

**3(e). General Guidelines**

This proposed ICR complies with OMB general guidelines for the collection of information and contains no provision with any characteristic listed in 5 CFR 1320.5(d)(2).

**3(f). Confidentiality**

Not applicable.

**3(g). Sensitive Questions**

Not applicable.

**4. THE RESPONDENTS AND THE INFORMATION COLLECTED**

**4(a). Respondents/SIC Codes**

Respondents to the Institutional Controls Tracking Systems and Costs Survey will include state, tribal, or local government agencies or organizations that maintain tracking systems, databases, or other information systems that collect or track information pertaining to the selection, planning, design, implementation, oversight, monitoring, or enforcement of institutional controls at sites, facilities, or properties under their jurisdiction. OERR will identify respondents with the help of its State, Tribal, and Site Identification Center, membership data provided by the International City/County Management Association, 777 North Capitol Street, N.W., Suite 500, Washington, DC 20002-4201, and consultations with state, tribal, and agency officials identified in the course of institutional controls meetings, conferences, symposia, and workshops. Respondents will fall into one or more of the following professional categories and SIC codes:

<u>SIC Code</u>	<u>Professional Category</u>
9111	City and town managers' offices
9111	County supervisors' and executives' offices
9121	City and town councils
9121	County commissioners
9431	Environmental health programs-government
9511	Environmental protection agencies-government
9511	Environmental quality and control agencies-government
9511	Pollution control agencies-government
9511	Waste management program administration-government
9511	Water control and quality agencies-government
9532	Community development agencies-government
9532	Redevelopment land agencies-government
9532	Urban planning commissions-government
9532	Urban renewal agencies-government.

**4(b). Information Requested**

**i. Data Elements**

The Institutional Controls Tracking Systems and Costs Survey will be sent to state, tribal, and local government entities that are likely to exercise responsibility for institutional controls.

The survey will request the following information from respondents:

- General system and respondent information.
- Purpose and scope of the respondent's tracking system, i.e., the types of sites and institutional controls tracked.
- Structure and operations of the respondent's tracking system, including database software, programming language, types of information tracked, number of data elements, data entry and quality assurance procedures, and data reporting and querying capabilities.
- User access and information sharing, including restrictions on data availability.
- Lessons learned.
- Costs of discharging the respondent's responsibilities for institutional controls, including staff, capital costs, training, and other direct costs, and subsidies, contributions, and other cost-sharing arrangements.

## **ii. Respondent Activities**

A copy of the survey is attached to this proposed ICR as Appendix A. Respondents will have to engage in the following activities to complete the survey questionnaire:

- Review introduction and instructions.
- Review operations and gather information.
- Complete and return questionnaire.
- Respond to EPA follow-up requests.

These activities will be the same whether the respondent uses the hard copy or electronic questionnaire format.

## **5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

### **5(a). Agency Activities**

Agency activities associated with the Institutional Controls Tracking Systems and Costs Survey include the following:

- Develop survey questionnaire.
- Administer the questionnaire. This task includes identifying respondents, putting the questionnaire in electronic form, and reproducing, mailing, and transmitting the questionnaire.
- Review survey questionnaire responses. This task includes reviewing responses for completeness and evaluating them for appropriate follow-up.
- Perform follow-up activities.
- Analyze responses.
- Prepare findings.

### **5(b). Collection Methodology and Management**

Section 4(b)(ii), “Respondent Activities,” describes the information collection methodology employed for this survey. EPA plans to distribute the Institutional Controls Tracking Systems and Costs Survey questionnaire in hard copy written and electronic formats. Respondents will be able to respond in either format. The survey questionnaire asks approximately 45 questions and employs standard professional terminology. EPA designed the questionnaire to collect only data about information systems that track institutional controls, and respondents are asked to provide data only if they have such a tracking system. Respondents are not asked to collect or generate new data. If a question cannot be answered using available data or best professional judgment, respondents are asked to indicate this fact by responding “unknown.” EPA will review the questionnaires as they are returned and follow them up by telephone as needed to obtain missing or incomplete data and to clarify or supplement responses. EPA expects that the simplicity of the questionnaire will minimize incomplete responses and the need for follow-up.

Question format varies according to the type of data sought in each section of the questionnaire. Most questions ask the respondent for a yes-or-no or narrative response or to check boxes and identify additional options. In these cases, the respondent needs only to check off the appropriate response. The questionnaire was designed in this way to reduce the burden on respondents. A few questions relating to costs involve filling in blanks and estimating hours based on average salaries and percentages of time spent on specified activities. The questionnaire has been peer-reviewed by OERR personnel and management. All the questions in the survey have therefore gone through multiple iterations, ensuring that the survey offers a complete range of questions that will elicit the information needed and that the questions do not collect redundant information. EPA is not planning a pretest or pilot test the questionnaire as EPA believes that public comments will reveal any deficiencies in the questionnaire design. OERR will reduce potential burden at the tribal and local levels by conducting pre-screening to focus data collection on larger and more sophisticated tribal and local entities that are most likely to operate institutional controls tracking systems. The pre-screening will be conducted through telephone interviews and other information sources.

Survey results and data will be stored in OERR offices and will be made available to the general public upon request. OERR staff will also make survey result summaries available to other EPA program offices, federal agencies, or Congress upon request.

#### **5(c). Small Entity Flexibility**

Not applicable.

#### **5(d). Collection Schedule**

Information collection will begin upon approval of this proposed ICR and assignment of an OMB control number to the survey instrument. The approximate collection schedule is as follows:

<u>Activity</u>	<u>Schedule</u>
Distribute questionnaires	Within 10 days of OMB approval of ICR
Review survey responses	Begin within two weeks of OMB approval
Complete follow-up activities	Within 45 days of OMB approval
Review survey responses	Complete within 60 days of OMB approval
Analyze responses	Within 75 days of OMB approval
Prepare findings	Within 90 days of OMB approval.

### **6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION**

#### 6(a). Estimating Respondent Burden

Burden hour estimates are based on experience with similar surveys administered to comparable groups of survey respondents. Although the survey is voluntary and many respondents will not have institutional controls tracking systems, EPA has assumed a 100 percent response rate in developing the respondent burden estimate. As the estimated burden is light and the ability to track institutional controls is a matter of vital interest to state, tribal, and local entities, EPA expects that respondents will take advantage of the opportunity to engage in a dialogue with EPA, share their experience, and influence the development of EPA's institutional controls tracking system.

After receiving the survey questionnaire from EPA, the responsible official would review the instructions, determine whether his/her agency tracks or maintains a database of information about institutional controls, and, if so, decide whether to respond to the survey. A professional technical and a clerical staff person would review the agency's operations to gather information about its institutional controls responsibilities, tracking activities, and costs. The technical professional would review this information and provide the results to the responsible official. The official or technical professional would then complete the questionnaire and return it to EPA. Exhibit 6-1 provides information on respondent burden by information collection activity and labor category.

**Exhibit 6-1**  
**Hours Per Respondent by Collection Activity and Labor Category**  
**Institutional Controls Tracking Systems and Costs Survey**

Information Collection Activity				Labor Hours
	Admin.	Technical	Clerical	
Review introduction and instructions	0.50	0.50		1.00
Review operations/gather information		2.25	2.25	4.50
Complete and return questionnaire		1.00		1.00
Respond to EPA follow-up requests	0.75	1.75	1.00	3.50
<b>TOTAL</b>				<b>10.00</b>

#### 6(b). Estimating Respondent Costs

##### i. Labor Costs

This is a non-rule-related ICR. Accordingly, hourly labor rate estimates are based on Table 4 ("State and local government, by occupational and industry group") of the Bureau of Labor Statistics' "Employer Costs for Employee Compensation" (<http://www.bls.gov/ecthome.htm?H3>). We used the March 2001 version of the report, which is the most recent available, incorporating increases in compensation costs for civilian workers for the first quarter of 2001 as set forth in the Bureau's "Employment Cost Index" (<http://www.bls.gov/ecthome.htm?H3>). The following labor rates were used for this ICR:

- Executive, administrative, and managerial ("Admin.") - \$37.42/hour
- Professional technical ("Technical") - \$25.32/hour
- Administrative support, including clerical ("Clerical") - \$19.27/hour.

These rates were multiplied by the burden hours that appear in Exhibit 6-1 to determine labor costs per respondent. Exhibit 6-2 provides labor costs per respondent by information collection activity and labor category.

**Exhibit 6-2**  
**Labor Costs Per Respondent by Collection Activity and Labor Category**



## Institutional Controls Tracking Systems and Costs Survey

Information Collection Activity				Labor Costs
	Admin.	Technical	Clerical	
Review introduction and instructions	\$18.71	\$12.66	\$0.00	\$31.37
Review operations/gather information	\$0.00	\$56.97	\$43.36	\$100.33
Complete and return questionnaire	\$0.00	\$25.32	\$0.00	\$25.32
Respond to EPA follow-up requests	\$28.07	\$44.31	\$19.27	\$91.65
<b>TOTAL</b>				<b>\$248.67</b>

### ii. Capital and Operation and Maintenance Costs

Activities supported by this ICR do not involve the purchase of monitoring or reporting equipment.

### iii. Capital/Start-up vs. Operating and Maintenance (O&M) Costs

Activities supported by this ICR do not involve the purchase of monitoring or reporting equipment.

### iv. Annualizing Capital Costs

Not applicable.

### 6(c). Estimating Agency Burden and Cost

EPA developed separate burden and cost estimates for EPA personnel and government contractors to reflect the fact that the government information collection and analysis activities described by this ICR will be implemented by a government contractor under EPA's supervision. Accordingly, both labor hours and labor costs are broken out into EPA and contractor categories.

Hourly labor rates for government employees are based on the hourly wage rates set forth in the Office of Personnel Management's 2001 General Schedule for the Locality Pay Area of Washington-Baltimore, DC-MD-VA-WV (<http://www.opm.gov/oca/01tables/GShrly/html/washingt.htm>). These rates were multiplied by the standard benefits multiplication factor of 1.6 to reflect non-wage benefits and arrive at the true cost of government labor. The following labor rates were developed for this ICR:

- GS-14/01 Manager ("Admin.") - \$57.26/hour
- GS-13/01 Technical Staff ("Technical") - \$48.46/hour
- GS-05/01 Clerical Staff ("Clerical") - \$18.54/hour.

Hourly labor rates for contractor employees are based on Table 10 ("Private industry, by occupational and industry group") of the Bureau of Labor Statistics' "Employer Costs for Employee Compensation" (<http://www.bls.gov/ecthome.htm?H3>). We used the March 2001 version of the report, which is the most recent available, incorporating increases in compensation costs for civilian workers for the first quarter of 2001 as set forth in the Bureau's "Employment Cost Index" (<http://www.bls.gov/ecthome.htm?H3>). The following labor rates were used for this ICR:

- Executive, administrative, and managerial ("Manager") - \$40.86/hour
- Professional technical ("Analyst") - \$27.20/hour
- Administrative support, including clerical (Research Asst./ "RA") - \$17.27/hour.

Exhibit 6-3 provides information on government burden by information collection activity and labor category.

This information is divided into separate EPA and contractor sections. Exhibit 6-4 provides labor costs by information collection activity and labor category. This information is also divided into separate EPA and contractor sections. The labor cost estimates were developed by multiplying the hourly labor rates described above by the government burden information in Exhibit 6-3.

**Exhibit 6-3**  
**Government Burden by Collection Activity and Labor Category**  
**Institutional Controls Tracking Systems and Costs Survey**

Information Collection Activity	Agency			Total Agency Hours	Contractor			Total Contractor Hours
	Hours Per Activity				Hours Per Activity			
	Admin.	Technical	Clerical		Manager	Analyst	RA	
Develop survey questionnaire	35	35	0	70	150	30	50	230
Administer survey questionnaire	5	0	0	5	10	10	40	60
Review questionnaire responses	5	5	0	10	10	40	40	90
Perform follow-up activities	40	40	0	80	10	40	80	130
Analyze responses	5	10	0	15	60	160	40	260
Prepare findings	10	20	0	30	200	200	80	480
TOTAL				210				1250

**Exhibit 6-4**  
**Government Labor Costs by Collection Activity and Labor Category**  
**Institutional Controls Tracking Systems and Costs Survey**

Information Collection Activity	Agency			Total Agency Costs	Contractor			Total Contractor Costs
	Cost Per Activity				Cost Per Activity			
	Admin.	Technical	Clerical		Manager	Analyst	RA	
Develop survey questionnaire	\$2004	\$1,696	\$0	\$3,700	\$6,129	\$816	\$864	\$7,809
Administer survey questionnaire	\$286	\$0	\$0	\$286	\$409	\$272	\$691	\$1,372
Review questionnaire responses	\$286	\$242	\$0	\$528	\$409	\$1,088	\$691	\$2,188
Perform follow-up activities	\$2,290	\$1,938	\$0	\$4,228	\$409	\$1,088	\$1,382	\$2,879
Analyze responses	\$286	\$485	\$0	\$771	\$2,452	\$4,352	\$691	\$7,495
Prepare findings	\$573	\$969	\$0	\$1,542	\$8,172	\$5,440	\$1,382	\$14,994
TOTAL				\$11,055				\$36,737

#### **6(d). Estimating the Respondent Universe and Total Burden and Cost**

The estimated size of the respondent universe is 262 parties. The objective of the survey is 262 completed surveys.

Based on information provided in Exhibit 6-1, total respondent burden for the survey is estimated as follows:

$$10 \text{ hours/survey} \times 262 \text{ surveys} = \underline{2,620 \text{ hours}}$$

Based on information provided in Exhibit 6-2, total respondent costs for the survey are estimated as follows:

$$\$248.67/\text{survey} \times 262 \text{ surveys} = \underline{\$65,151.54}$$

#### **6(e). Bottom Line Burden Hours and Cost Tables**

##### **i. Respondent Tally**

Exhibit 6-5 provides bottom-line burden hours and costs for the respondents.

**Exhibit 6-5**  
**Bottom-Line Estimate: Respondents**

Category	Respondents	Per Respondent	Unit	Total
Hours	262	10.00	Hours	2,620
Costs	262	\$248.67	Dollars	\$65,152

##### **ii. Agency Tally**

Exhibit 6-6 provides bottom-line burden hours and costs for the Agency. Note that Agency burden and hours and Contractor burden and hours from Exhibits 6-3 and 6-4 have been summed together to arrive at combined estimates for Agency burden and costs.

**Exhibit 6-6**  
**Bottom-Line Estimate: Agency**

Category	Hours	Costs
Agency	210	\$11,055
Contractor	1,250	\$36,737
TOTAL	1460	\$47,792

#### **6(f). Burden Statement**

The respondent burden for this collection of information is estimated to be 11 hours per response, including time required to review instructions, review operations, gather information, complete and return the questionnaire, and respond to follow-up questions.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain,

or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20450; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17<sup>th</sup> Street, N.W., Washington, D.C. 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB control number in any correspondence.

## **APPENDIX A**

### **Institutional Controls Tracking Systems and Costs Survey Questionnaire**

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY

## INTRODUCTION

This survey is being conducted by the U.S. Environmental Protection Agency, Office of Emergency and Remedial Response (OERR), to assist it in determining how to track the use of institutional controls at sites on the Superfund program's National Priorities List. Institutional controls are non-engineered site measures such as administrative or legal controls that minimize the potential for exposure to contamination by limiting land or resource use. Institutional controls are employed at sites where remedies leave contaminant residuals on site that do not allow for unlimited use and unrestricted exposure. Institutional controls reduce the potential for unacceptable exposure to residual contamination and can also be used to protect the integrity of a remedy. Proper implementation, monitoring, and enforcement of institutional controls at these sites is critical to EPA's core mission of protecting human health and the environment. EPA is actively seeking input from agencies with experience in the development, implementation, and management of institutional controls tracking systems.

You have been chosen to receive this questionnaire because your agency may have responsibilities for implementing, monitoring, and/or enforcing institutional controls on contaminated sites. Your agency was selected by EPA through a screening process that included telephone calls, interviews, and general knowledge of the types of agencies that may have institutional control responsibilities.

## INSTRUCTIONS

The questions below are intended to elicit information from state, tribal, and local environmental and planning authorities about how institutional controls established under federal, state, or local authority, or by private parties, are tracked by existing non-federal databases and information systems. The questions are not limited to institutional controls established under the Superfund program. EPA is concerned only about current activities and practices and has designed the questionnaire to be completed using available information. If you cannot answer a question using available data or best professional judgment, specify "unknown" in your reply. If your agency does not currently have any responsibilities for implementing, monitoring, and/or enforcing institutional controls, you may indicate that fact by writing so across the top of the questionnaire, and signing, dating, and returning it to the address provided. **EPA is requesting assistance in developing an institutional controls database and all responses are entirely voluntary.**

Please provide complete and thorough answers to each question that pertains to your institutional controls tracking or information system or institutional controls responsibilities. If necessary, use additional sheets, indicating clearly which questions they supplement. You may be contacted in the future by an EPA representative for follow-up information. The official in charge of responding to the survey should sign, date, and return it along with any additional sheets to:



MICHAEL E. BELLOT  
MAIL CODE 5202G  
USEPA HEADQUARTERS  
ARIEL RIOS BUILDING  
1200 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20460.

The public reporting burden for this collection of information is estimated to be 10 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

If you have questions or need help completing this questionnaire, please telephone Michael E. Bellot at (703) 603-8905 or e-mail him at [bellot.michael@epa.gov](mailto:bellot.michael@epa.gov). EPA requests that you complete and return the questionnaire within 60 days of receipt.

Thank you for taking the time to respond to this survey.

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY

Questions	Answers
<b>SECTION 1. BASIC INFORMATION</b>	
1.1 Do you maintain a database or information system that records and/or tracks the use of institutional controls (“ICs”)?	<input type="checkbox"/> Yes <input type="checkbox"/> No (Go to QUESTION 6.2)
1.2 If yes to 1.1, what is the name of the database or information system?	
1.3 If yes to 1.1, which division of your agency/organization is responsible for the database or information system?	
1.4 Who is the point of contact for the database or information system?	Name: _____ Title: _____ Telephone No.: ____ - ____ - ____ (Ext.____) E-mail Address: _____
1.5 May EPA Headquarters contact him or her directly to learn more about your database or information system?	<input type="checkbox"/> Yes <input type="checkbox"/> No
1.6 Is your database or information system accessible via the Internet?	<input type="checkbox"/> Yes <input type="checkbox"/> No
1.7 If yes to 1.6, what is the URL?	

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Questions	Answers
<b>SECTION 2. PURPOSE AND SCOPE</b>	
2.1 What purposes does your database or information system serve?	<p><b>CHECK ALL THAT APPLY.</b></p> <p><input type="checkbox"/> Monitoring implementation of ICs</p> <p><input type="checkbox"/> Evaluating effectiveness of ICs</p> <p><input type="checkbox"/> Tracking cost of maintaining ICs</p> <p><input type="checkbox"/> Monitoring ICs for enforcement purposes</p> <p><input type="checkbox"/> Tracking enforcement activity</p> <p><input type="checkbox"/> Informing the public about ICs</p> <p><input type="checkbox"/> Facilitating site reuse or redevelopment</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p> <p>_____</p>
2.2 At what types of sites does your database or information system track the use of ICs?	<p><b>CHECK ALL THAT APPLY.</b></p> <p><input type="checkbox"/> Superfund (CERCLA)</p> <p><input type="checkbox"/> RCRA</p> <p><input type="checkbox"/> Underground Storage Tanks (USTs)</p> <p><input type="checkbox"/> Department of Energy</p> <p><input type="checkbox"/> Formerly Used Defense Sites (FUDS)</p> <p><input type="checkbox"/> Other Federal Facilities (SPECIFY)</p> <p>_____</p> <p>_____</p> <p><input type="checkbox"/> Voluntary Cleanup Program Sites</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p> <p>_____</p>
2.3 Does your database or information system track only ICs for which you have enforcement responsibility or does it track other ICs too?	<p><input type="checkbox"/> Limited to enforcement authority</p> <p><input type="checkbox"/> Not limited to enforcement authority</p>

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Questions	Answers
2.4 If your answer to 2.3 depends on differing circumstances, please explain what they are and how they affect whether you track an IC.	
2.5 Does your database or information system track ICs according to the media (e.g., soil, water, etc.) they affect?	<input type="checkbox"/> Yes (If so, list all media tracked) <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

## SECTION 3. SYSTEM STRUCTURE AND OPERATIONS

3.1 What database software (e.g., Oracle, Microsoft Access, etc.) does your database or information system use to store data?	
3.2 Do you use a separate application to access your data?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.3 If yes to 3.2, what programming language is the application written in (e.g., Visual Basic, Microsoft Access, etc.)?	

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Questions	Answers
3.4 What information specific to ICs does your database or information system track?	<p><b>CHECK ALL THAT APPLY.</b></p> <p><b><u>Site Characteristics</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Geographic Location</li> <li><input type="checkbox"/> Maps</li> <li><input type="checkbox"/> Physical Boundaries of Affected Resources (e.g., ground water plumes)</li> <li><input type="checkbox"/> Cleanup Action Type (e.g., removal, remedial)</li> <li><input type="checkbox"/> Residual Contamination</li> <li><input type="checkbox"/> Future Land Use/Changes in Land Use</li> <li><input type="checkbox"/> Other (SPECIFY)</li> </ul> <hr/> <p><b><u>IC Characteristics</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> General Type (e.g., proprietary control, government control, information device, enforceable agreement)</li> <li><input type="checkbox"/> Specific Type (e.g., easement, covenant, ordinance, use restriction, permit)</li> <li><input type="checkbox"/> Objective or Performance Goal</li> <li><input type="checkbox"/> Affected Area(s) of Site</li> <li><input type="checkbox"/> Operable Unit(s) Affected</li> <li><input type="checkbox"/> Activities or Uses Restricted</li> <li><input type="checkbox"/> Media Restricted</li> <li><input type="checkbox"/> Duration (e.g., &lt; 10 years)</li> <li><input type="checkbox"/> Other (SPECIFY)</li> </ul> <hr/> <p><b><u>Implementation</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Responsible Party</li> <li><input type="checkbox"/> Start Date</li> <li><input type="checkbox"/> Completion Date</li> <li><input type="checkbox"/> Termination Date</li> <li><input type="checkbox"/> Amendments to Decision Documents (e.g., records of decision, consent decrees, administrative orders, action memoranda)</li> <li><input type="checkbox"/> Property Rights Conveyed</li> <li><input type="checkbox"/> Other (SPECIFY)</li> </ul> <hr/> <p style="text-align: right;"><i>Continued...</i></p>

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Questions	Answers
3.4 What information specific to ICs does your database or information system track? (Cont'd)	<p><b>CHECK ALL THAT APPLY.</b></p> <p><b><u>Monitoring</u></b></p> <p><input type="checkbox"/> Responsible Party</p> <p><input type="checkbox"/> Frequency</p> <p><input type="checkbox"/> Dates</p> <p><input type="checkbox"/> Type (e.g., site inspection, media sampling, reporting, certifications)</p> <p><input type="checkbox"/> Media Affected</p> <p><input type="checkbox"/> Findings</p> <p><input type="checkbox"/> Violations</p> <p><input type="checkbox"/> Submission of Required Reports</p> <p><input type="checkbox"/> Property Transfers</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p> <p><b><u>Enforcement</u></b></p> <p><input type="checkbox"/> Legal Authority</p> <p><input type="checkbox"/> Responsible/Authorized Party</p> <p><input type="checkbox"/> Notices of Violation</p> <p><input type="checkbox"/> Remedy (e.g., fine, penalty, corrective action)</p> <p><input type="checkbox"/> Status of Remedy (e.g., proposed, pending, completed)</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p> <p><b><u>Costs</u></b></p> <p><input type="checkbox"/> Implementation</p> <p><input type="checkbox"/> Monitoring</p> <p><input type="checkbox"/> Enforcement</p> <p><input type="checkbox"/> Savings Attributable to IC Use</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p>
3.5 How many IC data elements does your database or information system track?	
3.6 Who is responsible for data entry?	

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Questions	Answers
3.7 How frequently is new data entered into the database or information system?	
3.8 How soon after entry into the database or information system is new data accessible to users?	
3.9 Do you have a quality assurance procedure for data entry?	<input type="checkbox"/> Yes <input type="checkbox"/> No (GO TO QUESTION 3.11)
3.10 If yes to 3.9, describe the quality assurance process and who performs it.	
3.11 Does your database or information system generate standard reports?	<input type="checkbox"/> Yes <input type="checkbox"/> No (GO TO QUESTION 3.14)
3.12 If yes to 3.11, what standard reports does your database or information system generate?	
3.13 If yes to 3.11, are you willing to make copies of the standard reports generated by your database or information system available to EPA Headquarters?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.14 Does your database or information system permit ad hoc queries of all data elements?	<input type="checkbox"/> Yes <input type="checkbox"/> No (EXPLAIN WHY IT DOESN'T) <hr/> <hr/> <hr/>
3.15 Does your database or information system have a GIS component?	<input type="checkbox"/> Yes (DESCRIBE) <input type="checkbox"/> No <hr/> <hr/> <hr/>

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Questions	Answers
<b>SECTION 4. USER ACCESS AND INFORMATION SHARING</b>	
4.1 Who are the users of your database or information system?	
4.2 How does the public access your system?	<b>CHECK ALL THAT APPLY.</b> <input type="checkbox"/> Internet <input type="checkbox"/> Telephone <input type="checkbox"/> Public Library <input type="checkbox"/> Mail <input type="checkbox"/> Office Visit <input type="checkbox"/> Other (SPECIFY) _____ <input type="checkbox"/> The public doesn't have access to the system
4.3 Is data availability limited depending on who is accessing the system?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.4 If yes to 4.3, describe how and to whom availability of data in your database or information system is limited.	
4.5 Have you identified any limitations with your system or tracking process?	<input type="checkbox"/> Yes <input type="checkbox"/> No (GO TO QUESTION 4.7)
4.6 If yes to 4.5, describe these limitations and how they could be or have been addressed.	
4.7 Would you recommend your system to other agencies that do not have an ICs database or information system?	<input type="checkbox"/> Yes <input type="checkbox"/> No



# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Questions	Answers
4.8 Would you be willing to exchange data or system design information with other agencies to coordinate access to information about ICs?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>SECTION 5. LESSONS LEARNED</b>	
5.1 Is there any crucial information related to ICs that your database or information system does not track?	<input type="checkbox"/> Yes <input type="checkbox"/> No (If YES, SPECIFY) _____ _____ _____
5.2 What kinds of information about ICs have proved to be most and least valuable to your program?	
5.3 What advice can you give to other agencies/organizations that intend to track the use of ICs?	
5.4 Would you be willing to participate in a broader, standardized ICs tracking effort sponsored by U.S. EPA?	
5.5 Do you have any additional comments?	

Questions	Answers
<b>SECTION 6.COSTS OF IMPLEMENTING AND MONITORING INSTITUTIONAL CONTROLS</b>	
6.1 Whether or not your agency/organization tracks them, what kinds of ICs does it have any responsibility for selecting, planning, designing, implementing, overseeing, monitoring, and/or enforcing?	<p><b>CHECK ALL THAT APPLY.</b></p> <p><b><u>Enforceable Agreements</u></b></p> <p><input type="checkbox"/> Administrative Consent Orders</p> <p><input type="checkbox"/> Consent Decrees</p> <p><input type="checkbox"/> Contracts</p> <p><input type="checkbox"/> Unilateral Administrative Orders</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p> <p><b><u>Governmental Controls</u></b></p> <p><input type="checkbox"/> Administrative Permit Programs</p> <p><input type="checkbox"/> Alteration</p> <p><input type="checkbox"/> Building</p> <p><input type="checkbox"/> Demolition</p> <p><input type="checkbox"/> Development</p> <p><input type="checkbox"/> Excavation</p> <p><input type="checkbox"/> Ground Water Management</p> <p><input type="checkbox"/> Well Drilling</p> <p><input type="checkbox"/> Base Use Plans</p> <p><input type="checkbox"/> Local Ordinances</p> <p><input type="checkbox"/> State Legislation</p> <p><input type="checkbox"/> Subdivision Regulations</p> <p><input type="checkbox"/> Zoning Ordinances</p> <p><input type="checkbox"/> Zoning Amendments</p> <p><input type="checkbox"/> Zoning Variances</p> <p><input type="checkbox"/> Overlay Zoning</p> <p><input type="checkbox"/> Other Zoning Restrictions (SPECIFY)</p> <p>_____</p> <p><input type="checkbox"/> Ground Water Protection Zone</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p> <p><b><u>Informational Devices</u></b></p> <p><input type="checkbox"/> Advisories</p> <p><input type="checkbox"/> Drinking Water</p> <p><input type="checkbox"/> Fishing</p> <p><input type="checkbox"/> Food</p> <p><input type="checkbox"/> Health</p> <p><input type="checkbox"/> Swimming</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p> <p><input type="checkbox"/> Announcements</p> <p><input type="checkbox"/> Radio</p> <p><input type="checkbox"/> Television</p> <p><input type="checkbox"/> Other (SPECIFY)</p> <p>_____</p> <p style="text-align: right;"><i>Continued...</i></p>

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Questions	Answers
<p>6.1 Whether or not your agency/organization tracks them, what kinds of ICs does it have any responsibility for selecting, planning, designing, implementing, overseeing, monitoring, and/or enforcing? (Cont'd)</p>	<p><b>CHECK ALL THAT APPLY.</b></p> <p><b><u>Informational Devices</u></b> (Cont'd)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Listings               <ul style="list-style-type: none"> <li><input type="checkbox"/> Local Hazardous Waste Registry</li> <li><input type="checkbox"/> Military Hazardous Waste Registry</li> <li><input type="checkbox"/> State Hazardous Waste Registry</li> <li><input type="checkbox"/> Other (SPECIFY) _____</li> </ul> </li> <li><input type="checkbox"/> Notices               <ul style="list-style-type: none"> <li><input type="checkbox"/> Deed Notices</li> <li><input type="checkbox"/> Notices to State Regulators Before Changes in Land Ownership</li> <li><input type="checkbox"/> Notices to State Regulators Before Changes in Land Use</li> <li><input type="checkbox"/> Other (SPECIFY) _____</li> </ul> </li> <li><input type="checkbox"/> One Call Systems               <ul style="list-style-type: none"> <li><input type="checkbox"/> Local</li> <li><input type="checkbox"/> State</li> <li><input type="checkbox"/> Other (SPECIFY) _____</li> </ul> </li> <li><input type="checkbox"/> Publications               <ul style="list-style-type: none"> <li><input type="checkbox"/> Federal Register</li> <li><input type="checkbox"/> Newspaper</li> <li><input type="checkbox"/> State Register</li> <li><input type="checkbox"/> Other (SPECIFY) _____</li> </ul> </li> <li><input type="checkbox"/> Public Education               <ul style="list-style-type: none"> <li><input type="checkbox"/> (SPECIFY) _____</li> </ul> </li> </ul> <p><b><u>Proprietary Controls</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Easements               <ul style="list-style-type: none"> <li><input type="checkbox"/> Affirmative</li> <li><input type="checkbox"/> Appurtenant</li> <li><input type="checkbox"/> Conservation</li> <li><input type="checkbox"/> In Gross</li> <li><input type="checkbox"/> Negative</li> </ul> </li> <li><input type="checkbox"/> Equitable Servitudes</li> <li><input type="checkbox"/> Restrictive Covenants</li> <li><input type="checkbox"/> Reversionary Interests</li> <li><input type="checkbox"/> Deed Restriction of Unspecified Type</li> <li><input type="checkbox"/> Other (SPECIFY) _____</li> </ul> <p><b><u>Other</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Other (SPECIFY) _____</li> </ul>

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

6.2 If the costs your agency/organization incurs selecting, planning, designing, implementing, overseeing, monitoring, and/or enforcing ICs are offset through subsidy or direct contribution, indicate the entity that offsets your costs and the mechanism used to do so.  
**CHECK ALL THAT APPLY.**

	LOCAL GOVT.	STATE GOVT.	TRIBAL GOVT.	FEDERAL GOVT.	RESPONSIBLE PARTIES	NONE	OTHER (SPECIFY)	OTHER (SPECIFY)
COOPERATIVE AGREEMENTS								
INTERAGENCY AGREEMENTS								
STATE SUPERFUND CONTRACTS								
CONSENT DECREES								
ADMINISTRATIVE CONSENT ORDERS								
UNILATERAL ADMINISTRATIVE ORDERS								
CASH-OUT SETTLEMENT OPTIONS								
PROSPECTIVE PURCHASER AGREEMENTS								
SUPPLEMENTARY ENVIRONMENTAL PROJECTS								
COST-SHARING ARRANGEMENTS (SPECIFY) _____ _____								
IN-KIND CONTRIBUTIONS								
TAX-BASED BONDS								
TRUST FUNDS								
GRANTS (SPECIFY) _____ _____								

*Continued...*

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

6.2 If the costs your agency/organization incurs selecting, planning, designing, implementing, overseeing, monitoring, and/or enforcing ICs are offset through subsidy or direct contribution, indicate the entity that offsets your costs and the mechanism used to do so.  
**CHECK ALL THAT APPLY.**

	LOCAL GOVT.	STATE GOVT.	TRIBAL GOVT.	FEDERAL GOVT.	RESPONSIBLE PARTIES	NONE	OTHER (SPECIFY)	OTHER (SPECIFY)
DONATIONS								
USER FEES (SPECIFY) _____								
OTHER FEES (SPECIFY) _____								
REDUCED FEES FOR SERVICES								
TAXES (SPECIFY) _____								
PERMITS (SPECIFY) _____								
LICENSES (SPECIFY) _____								
DIRECT CHARGES (SPECIFY) _____								
OTHER ASSESSMENTS (SPECIFY) _____								
OTHER (SPECIFY) _____								

## INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

6.3 Indicate the personnel costs your agency/organization incurred for IC selection, planning, design, implementation, oversight, monitoring, and/or enforcement. Annual Compensation includes salaries, benefits, and other costs of employing staff. Total Approximate Annual Cost = Number of Staff x Percentage of Time Spent on IC-Related Tasks x Annual Compensation.

Staff Position	Number of Staff	Percentage of Time Spent on IC-Related Tasks	Annual Compensation	Total Approximate Annual Cost
Planner				
Engineer				
Administrative Supervisor				
Project Manager				
Attorney				
Budget Officer				
Community Facilitator/Meeting Planner				
Support Staff/Record keeping				
Data Collection and Entry				
Data Analysis				
Geocoding/Digital Mapping				
Programming				
Computer System Maintenance				
Website Maintenance				
Inspectors				
Geologists				
Hydrologists				
Public Health				
Laboratory				
Contractor Support				
Other (SPECIFY)				
Other (SPECIFY)				
Other (SPECIFY)				
Totals				

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

6.4 Indicate the direct capital and operating costs your agency incurs for IC selection, planning, design, implementation, oversight, monitoring, and/or enforcement.

Component	Annual Cost	Annual Interest, Service, etc.	Total
<b>Computers:</b>			
Hardware			
Software			
Web Access			
Data Purchase			
Outsourced Staff			
Data Management/Storage			
Other (SPECIFY) _____ _____			
<b>Other Direct Costs:</b>			
Acquisition of Real Property Interests			
Surveys			
Investigations			
Inspection			
Monitoring			
Issuing Notices			
Mapping			
Global Positioning System			
Scanning			
Laboratory Costs			
Travel			
Meeting Facilities			
Vehicle (fuel, maintenance, mileage)			
Supplies/Services (fuel, phone)			
Office Supplies			
Equipment			

*Continued...*

# INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

Component	Annual Cost	Annual Interest, Service, etc.	Total
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6.4 Indicate the direct capital and operating costs your agency incurs for IC selection, planning, design, implementation, oversight, monitoring, and/or enforcement. (Cont'd)

Other (specify) _____ _____			
Other (specify) _____ _____			
Other (specify) _____ _____			
<b>Training and Outreach for:</b>			
Community			
Government Staff			
Government Officials			
Emergency Medical Technicians			
Enforcement/Monitoring Staff			
In-House Computer Staff			
Real Estate, Legal, Construction, Utility Groups			
Other (SPECIFY) _____ _____			
Other (SPECIFY) _____ _____			
Other (SPECIFY) _____ _____			



INSTITUTIONAL CONTROLS TRACKING SYSTEMS AND COSTS SURVEY (CONT'D)

***THANK YOU FOR COMPLETING THIS SURVEY. PLEASE IDENTIFY THE OFFICIAL  
IN CHARGE OF RESPONDING TO THE SURVEY QUESTIONS BELOW.***

---

NAME (PLEASE PRINT)

---

TELEPHONE NUMBER

---

SIGNATURE

---

FAX NUMBER

---

TITLE

---

E-MAIL ADDRESS

---

DATE

---

AGENCY/ORGANIZATION